

CHAPTER NO. 470

SENATE BILL NO. 199

By Clabough, Crutchfield

Substituted for: House Bill No. 277

By Davidson, Rinks, Arriola, Lois DeBerry

AN ACT To amend Tennessee Code Annotated, Title 2 and Title 3.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 2-10-310(a), is amended by deleting the subsection in its entirety, and by substituting instead the following language:

(a)(1) Except as provided in subdivisions (2) and (3), from the convening of the General Assembly in organizational session through the earlier of the last day of regular session or June 1 in odd years, and from the convening of the General Assembly in regular session to the earlier of May 15 or the conclusion of the annual session in even years, no member of the General Assembly or a member's campaign committee shall conduct a fundraiser or solicit or accept contributions for the benefit of the caucus, any caucus member or member or candidate of the General Assembly or Governor.

(2) During such period a member of the General Assembly who is a candidate for a local public office shall be permitted to conduct fundraising events and solicit or accept contributions for such campaign for local public office only under the following conditions:

(i) Such fundraising events may be held only in the county in which such member is a candidate for local public office;

(ii) Solicitations and acceptance of contributions for such purposes may only be made from individuals residing in such county;

(iii) Such fundraising events shall not be held, nor contributions be solicited nor accepted, on state property;

(iv) The member shall not be permitted to solicit or accept, directly or indirectly, any actual or in-kind contribution during such period from a lobbyist or employer of a lobbyist; and

(v) No other member of the General Assembly or the campaign committee of such other member shall be permitted to solicit or accept contributions during such period for the member campaigning for local public office.

It shall be unlawful for any lobbyist or employer of a lobbyist to make any contribution to such member's campaign committee during such period for any purpose.

(3) All contributions raised as a result of fundraising or a fundraising event authorized and held in accordance with subdivision (2) shall be reported on a form prescribed and provided by the registry of election finance for such purposes. Such form shall be filed with and attached to the applicable campaign finance disclosure report. The following disclosures shall be made on such form:

(A) The amount of contributions collected as a result of such fundraising event;

(B) The date and place such fundraising event was held;

(C) The dates on which such contributions were accepted; and

(D) All other information required by law to be reported on a campaign financial disclosure report.

SECTION 2. Tennessee Code Annotated, Section 2-10-114, is amended by adding the following language as a new subsection (f):

(f) Notwithstanding the provisions of subsection (a), if such member raises funds for such local public office during the time the General Assembly is in session in accordance with Section 1 of this act, then any unexpended balance of contributions in the campaign account established by such member of the General Assembly for such member's candidacy for local public office, shall not be used for or distributed to a campaign fund for the benefit of any election for any candidate for the General Assembly, or for the benefit of any statewide election, or any state, national or other political party, any state, national or other political party caucus or any state, national or other political party caucus member.

SECTION 3. Tennessee Code Annotated, Section 2-10-203(j)(1), is amended by changing the period at the end of the subdivision to a semicolon and adding the following language:

provided, that, such one (1) year prohibition with respect to subsection (h)(1) shall not apply to a member of the registry who resigns from the registry and thereafter qualifies as a candidate for elective office to any state or local public office, nor shall such prohibition apply to making contributions to or participating in the member's own campaign for such election, if the resignation occurs either prior to the qualifying deadline for such election or prior to certifying to the registry of election finance the name and address of the candidate's or committee's political treasurer for such election pursuant to §2-10-105(e), whichever is earlier.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: February 14, 2002


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 15th day of February 2002


DON SUNDQUIST, GOVERNOR